

## DETECTIVES BESET PETERS.

### CONFERENCE ON ALDERMAN'S TESTIMONY IN BOODLE CASE.

He Contradicts Other Aldermen About His Order, "Vote for Cowing"—Also Tells of Dicks With Both Sides for the 11 Votes That \$6,000 Swung Away.

The examination of Alderman William S. Clifford, charged with accepting a bribe of \$6,000 for swinging the vote of the eleven M. O. L. Aldermen on January 15 from their candidate for Recorder, Judge John Palmeri, to Judge Rufus B. Cowing, came to an abrupt ending shortly before 4 o'clock yesterday afternoon.

All the afternoon Alderman Henry Clay Peters, the leader of the M. O. L. eleven, had been on the stand. He was the last of the group to be examined. Assistant District Attorney Smyth wanted to know from Peters just when he gave the order to the group he held in the hollow of his hand to vote for Cowing.

Peters admitted many times, and with no little show of pride, that he held full power over the Municipal Ownership League Aldermen. He said that they voted as he told them. He had received many overtures from the Republican and Democratic ranks and he wanted to his up a good man. He had mentioned the name of Cowing at a conference he had with Melvin Palliser at the latter's office after the second day's balloting on January 9. Senator John Raines, or rather a man who said he represented Raines, had offered as an inducement for swinging the M. O. L. eleven for the Republican candidate, Meyers, that Raines would work hard for the passage of the Hearst recount bill.

"I told Palliser not to listen to any of these propositions if they came to him," said Peters. "I had had enough of Raines's promises. I said I wouldn't believe Raines under oath. In some way the name of Judge Cowing then came up. I don't remember whether I spoke of him or whether it was Mr. Palliser. Anyhow, when I returned to the City Hall I met several of our men and casually mentioned the name of Judge Cowing."

Peters couldn't tell the name of a single man to whom he had mentioned Cowing as early as that. He said he dickered with the Republicans for a compromise whereby his eleven would fall in line with the Republicans. He wanted in return for his eleven votes to be made chairman of a committee to investigate transit conditions. There was always some kind of a hitch. Alderman Davies had to make his promise subject to the pleasing of Alderman Griffenberg. Peters was also dealing with Little Tim Sullivan, leader of the Democratic forces. He asked Little Tim for the vice-chairmanship of the board and several committee chairmanships in exchange for his eleven votes.

"Did Sullivan show any inclination to give in to you?"

"No." Assistant District Attorney Smyth asked Peters about an appointment he had with Alderman Davies for Saturday, January 12. This was the day that Earl Harding opened negotiations for the votes with Clifford, who said he was acting for Peters.

Alderman Peters admitted that he had kept the engagement with Alderman Davies. It was raining on that Saturday and he telephoned to Mr. Davies saying he would meet him on Monday. He found himself unable to keep the engagement on Monday.

"Was not one of the reasons for your not keeping the engagement the fact that Harding and Clifford had met the night before and practically completed their bargain?"

"No," answered Peters. "On Monday, when you again put off the engagement with Mr. Davies, did you not know of the negotiations between Mr. Clifford and Mr. Harding?"

"I did not." Peters was then asked to explain just what caused the sudden shift to Cowing the next day, Tuesday. He said:

"On the fifteenth of January, between 12 and 12:30 o'clock, I met Alderman Clifford. He suggested that it would be a good idea to put forward Judge Cowing as a feeler. I think I met him in the Aldermanic chamber. We had a talk about it. No one was present but us."

At that hour Clifford had just come down town after seeing the \$6,000 put in the stakeholder's hands. Magistrate Whitman wanted to know exactly where this talk took place. Peters couldn't say.

"Look here, Alderman Peters," said the Magistrate, "this man Clifford's liberty is at stake. It is important that we should know where this conference took place. You have ordinary intelligence and you must remember where your conversation took place."

While the Magistrate was still talking Peters snapped: "I know my liberty is at stake, and I therefore am trying to be very careful as to what I say." The Magistrate tried to stop Peters so that he could question him, but Peters continued to chatter.

"Keep still!" shouted Magistrate Whitman. "I'll conduct this court or I'll put you under arrest."

This served to quiet Peters, who then proceeded to say that he had not told Clifford to vote for Cowing, but that Clifford had suggested making a test vote on Cowing's name just to feel out the Republicans.

"When did you tell the others to vote for Cowing?" asked the Assistant District Attorney. Peters's reply was:

"I did not tell them to vote for Cowing until the balloting began and Alderman Clifford, the first of our group to be called, voted for him. Then before I knew it a move Alderman Cronin voted likewise. I wanted to hold my men together and I gave the order for all hands to vote as Clifford and Cronin had done."

Assistant District Attorney Smyth put this question to Peters at least fifty times and each time got the same reply. Magistrate Whitman and Abe Levy, counsel for Clifford, could get nothing else.

It was apparent that they were giving Peters plenty of rope. He told with great gusto how he held the whip over the entire Board of Aldermen.

On the day after Clifford had bargained for \$6,000 for the eleven votes and had come down and seen them cast for Cowing Peters made a public statement in which he said:

"Why did not the bribers approach Alderman Peters?" I would like to have that question answered. There can be but two answers to that question and they are that Alderman Peters was too honest or Alderman Peters was too clever for them.

yesterday. Alderman Peters leaned forward in his chair and said warmly:

"Yes, why did they not approach Alderman Peters? I would like to have that question answered. There can be but two answers to that question and they are that Alderman Peters was too honest or Alderman Peters was too clever for them."

"Do you think that your record justifies your giving the first answer?" asked Mr. Smyth.

"I am proud of my record," shouted Peters, "and especially as a member of the Board of Aldermen."

"What was the name of the firm you worked for downtown in 1893 when you disappeared?" asked the Assistant District Attorney.

Peters cleared his throat and was about to make reply when Magistrate Whitman halted him.

"I wish to inform you, Alderman, as you are not represented by counsel here, that you are not obliged to answer that question. You can refuse to do so on the ground that it tends to incriminate you."

"And degrade you," put in Abe Levy.

"Well, I will refuse to answer that question on statutory grounds," said Peters very meekly.

After Levy had asked several perfunctory questions to get on the record that Peters denied having had any deal with Clifford as to accepting or negotiating for a bribe or gratuity, Alderman Peters was excused.

As he left the stand Assistant District Attorney Smyth made for the bench and conferred with the Magistrate. Abe Levy was called up and the two lawyers and the Magistrate talked earnestly for some time. Mr. Smyth got the record of testimony that had been given by nine other Aldermen. All had stated flatly that they had received orders from Peters before the balloting began to vote for Cowing. The displaying of record on the Magistrate's bench awakened considerable interest among all present. His face grew quite red.

Finally he jumped up, grabbed his hat and overcoat and made for the door. There was some head nodding on the part of Assistant District Attorney Smyth and on the part of Assistant District Attorney Murphy, who had entered the room with his thumb on a certain section of the Penal Code.

Hardly had Peters reached the corridor outside of the court room when County Detective Reardon and several of his assistants were around him. Alderman Peters stood for some time looking out of a window and then he walked slowly back into the court room.

During the remainder of the conference he sat with his head lowered and scarcely looked at anybody. After a short time Magistrate Whitman announced that the investigation was adjourned and that it would be resumed at 11 o'clock in the morning. Peters lost little time in getting out of the building.

At the morning session the six M. O. L. Aldermen who testified became greatly confused. The case of Alderman Cronin was pathetic. He flatly contradicted his testimony before the Grand Jury. He seemed to be in feeble health.

## COAL INQUIRY REPORT IN.

Gov. Hughes and Alexander Simpson Present Opinions to Attorney-General.

PHILADELPHIA, Jan. 31.—In two books, comprising about 500 pages, Alexander Simpson, Jr., of Philadelphia, and Charles E. Hughes, Governor of New York, have condensed new facts concerning the transportation and sale of coal by the great railroad systems and have attached thereto their report on the advisability of instituting civil suits or criminal prosecutions against these railroads and their officers.

All this evidence was collected by Mr. Simpson and Gov. Hughes or by others under their direction and was carefully compiled, annotated and indexed for the use of Attorney-General Bonaparte.

The whole report is now in the hands of the Attorney-General. But for his indisposition the report would have been made public early this week.

Both the anthracite and bituminous producers have been included in the investigation. Mr. Simpson and Gov. Hughes have also gone over all the evidence presented before the Interstate Commerce Commission and have expressed their opinions of the advisability of suits or prosecutions upon that evidence.

Mr. Simpson and Gov. Hughes have refused to give any intimation of their recommendations.

Because of his election, Gov. Hughes will take no further part in the matter. If Attorney-General Bonaparte decides to institute prosecutions or civil suits, it is probable that some New York lawyer will be named instead of the Governor.

## FAILED TO IDENTIFY CLARKE.

Photographer Loses Case Against Former Husband of the "Violet Bride."

PALM BEACH, Fla., Jan. 31.—E. Browning, a New York photographer, yesterday had a New York City of Ardmore, Pa., arrested. Browning said that in a discussion of Clarke's refusal to let him take a picture of Mrs. Clarke Mr. Clarke used both fists and club.

At the hearing this morning Browning was unable to swear positively that it was Clarke who struck him and the defendant was discharged.

At the time of the alleged assault Clarke had just saved his wife from drowning in a motor boat collision.

Clarke was formerly the husband of Esther Bartlett, the "violet bride," whom he sued unsuccessfully for divorce in Pittsburgh. Mrs. Clarke later got a divorce and Clarke married a Miss Willoughby.

Isabelle Urquhart Dying.

Winchell Smith, the manager of the Herald Square Theatre, received a telegram from Rochester last night stating that Isabelle Urquhart, the actress, who is ill in the hospital there, was not expected to survive through the night. Miss Urquhart has been playing with Arnold Daly in vaudeville, presenting the piece "How He Lied to Her Husband."

England to Withdraw Commercial Agents.

LONDON, Jan. 31.—It is asserted that the Government has decided to recall its commercial attaches and commercial agents from foreign countries, including Mr. Bell, at New York. They will henceforth be centered in London, whence they will be sent on special missions when the occasion arises. It is understood that the Foreign Office found that the system of commercial representation abroad was unsatisfactory.

After all, UNDER the Statute that made the "Violet Bride" a "Violet Bride" was made a "Violet Bride."

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## THE SULLIVANS BOTH IN IT?

### DISCOVERY MADE AFTER THE JERSEY CITY STOCK OFFICE RAID.

An Agreement of Incorporation Found Containing the Names Timothy D. Sullivan and Timothy P. Sullivan—Police Think These the New York Politicians.

Chief Rooney of the Jersey City police force went yesterday through a wastebasket of papers and books he had seized in the raid of the day before on the office of the Manhattan Stock and Grain Dealers Company of 77 Montgomery street, which resulted in the arrest of Richard E. Preusser and nine others on a charge of keeping a disorderly house in running an alleged brokerage business. When he got to the bottom of the basket Rooney came upon a document which purported to be a carbon copy of an agreement to organize and capitalize the company before its regular incorporation. The original organizers of the concern, according to this paper, were a group of well known New York politicians and bookmakers.

These are given as follows, with the amount each contributed to the original capital of the concern set opposite his name: Timothy D. Sullivan, \$2,500; Timothy P. Sullivan, \$2,500; Eugene D. Wood, \$10,000; Samuel Mayer, \$10,000; Leo Mayer, \$10,000; and James Pickens, \$10,000. The name James Pickens is signed to the copy of the agreement. The police say that they have every reason to believe that the two Sullivans referred to are the well known Congressman and Alderman, respectively, of this city. Wood is the Albany lobbyist, they say, and the Mayers are bookmakers known to many of the loungers along Broadway.

According to the paper the agreement was made some time in October, 1906, the day of the month having been left blank. The articles of incorporation, which were also found in the wastebasket, show that the concern was incorporated on October 18, 1906, with Sam Mayer, James B. Breen and Thomas H. Kenny, all of 77 Montgomery street, given as incorporators.

This appears to have been recorded with Vincent T. Coughlin, a notary public of New York county, on October 19, and filed with Secretary of State Dickinson of New Jersey on October 20. In this paper the capital is given as \$200,000; Leo Mayer as secretary and treasurer, and Preusser as manager, with a salary and 15 per cent of the profits as recompense. He is the man who killed Myles McDonnell in Albany in June, 1904, was found not guilty, as insane, and was discharged from Matteawan four months ago.

Other papers found, say the police, show that the concern operated a "wire" business with correspondents in several towns. The company did business on a one point margin, and the police say that they found no record of any bonafide sales. Some of the towns the concern had correspondents in are Yonkers, Syracuse, Albany, Rochester, Utica, Poughkeepsie, Auburn, Fort Plain, Middletown and Peekskill, N. Y.; Scranton, Pa.; Newark, Elizabeth and Trenton, N. J., and Pittsfield, Mass.

One of the men arrested informed Rooney that the raid had cost the company \$10,000 in prospective profits and the books are understood to show that profits had run from \$500 to \$2,500 a day for the last two weeks. Many letters from people of political connections were also found in the magic book, according to the police, addressed to Preusser as manager. One of them, dated about election time, came from a man named O'Connor. He says that he is a candidate for Congress on the Socialist Labor ticket and needs some money to forward his campaign. On these grounds he says that he is entitled to a tip, particularly as he will play it all alone and would see that no one else got it.

Other letters came from an under sheriff at Albany, a woman who holds a place in Auburn penitentiary sending \$50, but not giving her name, and a man who was willing to hook some of his rings and raise \$500 to "invest" with them if they could assure him that he would make \$14,000 on the "investment."

Preusser and the nine other men arrested were arraigned in the First Criminal Court yesterday. At the request of County Prosecutor Speer the hearing went over for a week and the prisoners' bail was continued. James J. Breen, who appears in the articles of incorporation as president, was among the crowd, but he refused, along with Preusser, to say anything.

Another one of the party who was employed in the concern's office said that the Sullivans named in the agreement were the New York politicians.

"They put in some of the money to start the concern in the first place," he said. "Mr. Wood is the Albany lobbyist and the Mayers are bookmakers. The Sullivans, however, were not regular members of the company, and I am positive that they are not in it now."

The company did a regular wire business, and as for the contention of the police that he did not do a regular above board business, I must say that among the papers seized were a number of shares of Colorado Fuel and Iron, in which legitimate transactions were being made.

"Hayes, the Rochester man who made the squeal on which the raid was made, is sore because he wanted to put one of our wires into his place in Rochester and we would not have anything to do with him."

Neither of the Sullivans could be seen at his regular abode last night. In answer to a telephone call to the residence of Timothy P. Sullivan in Seventh street it was said that he was not in. A later call brought the information that Mr. Sullivan had been in, but had not wished to come to the telephone. Timothy D. Sullivan could not be found either.

Corporation Attorney Robert Carey of the law firm of Rudolph & Carey, which has been retained to defend the prisoners, visited Police Headquarters last night and had a long talk with the heads of the department concerning the raid. He said to a SUN reporter:

"The Sullivans had absolutely no connection with this company. The concern did not do a bucket shop business. All its stock transactions were put through a Stock Exchange house."

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## JACK GALLATIN TO WED AGAIN.

His Bride a Daughter of An Adams, the Pulley King.

"Providence, Jan. 31.—A marriage license was issued today to James Nicholson Gallatin and Ida Robinson Adams, both of New York.

The couple had been in the license office a number of times this week, but had failed to get the license because a copy of Gallatin's divorce was not at hand. This document reached the city this afternoon.

Gallatin said that he is 28 and a son of James Gallatin and has no occupation. He said his father gave her age as 27. She said that she was the daughter of Albert J. Adams, "a real estate dealer," of New York. She was born in Barrington, R. I.

The couple refused to make further disclosures as to their identity.

At the Narragansett Hotel the entry of "Mr. and Mrs. James N. Gallatin and maid, New York," has stood since Tuesday.

James Nicholson Gallatin, better known as Jack Gallatin, is a great-grandson of Albert Gallatin, Secretary of the Treasury under President Jefferson and founder of what is now the Gallatin National Bank. He gained much notoriety in 1902 when he copied marriage to Miss Pauline M. Cory while automobile riding in the rain. She consented and they stopped at the Church of the Ascension and were married.

The couple quarrelled while on their wedding trip in Europe and separated. When Gallatin sought a reconciliation his wife refused to see him. Mrs. Gallatin got a divorce in January, 1904. She was married in March of that year to Joseph S. Ullman of this city.

Gallatin is a member of the Lambs, Strollers, Fencers and Seawanhaka Corinthian Yacht clubs. In the Spanish war he served in the Hospital Corps at Camp Wikoff and also on the transports.

## MIRAGE OFF CONEY ISLAND.

A Little Fleet Moves Up the Harbor High in Air.

Early marine observers on the snowy beach at Coney Island yesterday morning had a fine glimpse of air shipping. The sun was about an hour high, the breeze light and the sea had just enough of a lisp on to give a slightly scalloped horizon. Strung out in order from the sunward, there were seen coming in a tern, a fisherman's sloop, a schooner with topsails drawing and a liner making her way up the Main Ship channel. This little fleet in the offing was held in a mirage which lifted every vessel above the horizon by about ten or twelve degrees and left a strip of clear air beneath every water plane. Thus floating in air they stood up the harbor on their way like an argosy in the sky.

All at once something happened to the meteorology which had produced the vision, some invisible air current rolled athwart the line of vessels. First the liner dropped back into the sea, then the topsail schooner, then the fisherman's sloop, and last of all the tern; one could almost imagine the planes of the ships of the air returned practically to the water. The show was over, and only an amateur press agent on the job.

## MAY PROBE COTTON EXCHANGE.

Sub-Committee of House Commerce Committee Unanimously Favors It.

WASHINGTON, Jan. 31.—As a result of the action taken to-day by a sub-committee of the House Commerce Committee on Interstate and Foreign Commerce it is probable that the Bureau of Corporations of the Department of Commerce and Labor will be directed to investigate the operation of the New York Cotton Exchange. The committee to-day unanimously voted for the resolution for an investigation recently offered by Representative Livingston, who is engaged in a fight on the exchange, which he contends is acting unlawfully and is exceeding its charter. He is also endeavoring to have the exchange excluded from the privileges of the mail by means of a fraud order.

The committee modified the resolution in minor respects, but retained its essential features providing for an investigation. In view of the unanimous action of the sub-committee it is probable that the full committee will take favorable action on the resolution and report it to the House.

GLASS CO. SUES LABOR UNION.

Conspiracy to Prevent Operation of Indiana Factories Alleged.

HARTFORD CITY, Ind., Jan. 31.—Alleging that the officers and members of the Amalgamated Window Glass Workers' Association of America have entered into a conspiracy to prevent the operation of its factories in this city, the Johnston Glass Company has filed a suit against the members of the labor organization asking \$27,000 damages.

The officers of the association, who are named as defendants, are President A. L. Faulkner, Secretary Clarence V. Tarr and Treasurer William Armstrong. These men compose the executive board, which has its headquarters in the Electric Building at 4,000 Ohio street. The Amalgamated Union has 4,000 members, and each one of them is named as a co-defendant.

The suit is the first of its kind ever filed in Indiana against a labor union, and its outcome is being watched with interest by manufacturers all over the country, especially window glass producers.

## RUMMAGED BROKER'S DESK.

Big Man Chased Out of Secor, Reynolds & Co.'s Office by Burrows McNair.

Burrows McNair walked into the office of the Stock Exchange firm of Secor, Reynolds & Co. on the sixth floor of 33 Wall street last yesterday afternoon and found there a powerfully built man in a laborer's garb rummaging one of the desks in a small room. Mr. McNair, who is not connected with the firm, asked the man what he was doing there. Mr. McNair is in the bonding business and has reason to go often to the Secor, Reynolds & Co. office. He saw that the man was not one of the employees and he told him to get out. The man struck at McNair and ran out of the room.

McNair chased him down the six flights and sent him sprawling at the foot of the stairs. The man was well clothed and was going home. The fugitive followed he turned on Mr. McNair, who had a long talk with the heads of the department concerning the raid. He said to a SUN reporter:

"The Sullivans had absolutely no connection with this company. The concern did not do a bucket shop business. All its stock transactions were put through a Stock Exchange house."

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## TO STOP TROUBLE WITH JAPAN

### NEGOTIATIONS FOR NEW TREATY WELL UNDER WAY.

Californians Assured That It Will Provide for Exclusion of Coolies—San Francisco School Authorities Invited to Conference With the President.

WASHINGTON, Jan. 31.—The chances for an amicable adjustment of the differences between Japan and the United States over the discrimination against Japanese subjects in Pacific Coast States are regarded as excellent. The Administration is greatly encouraged over the outlook for removing the causes of friction, and it feels that the opportunity is at hand for the restoration not only of better feeling between Japan and the United States, but between the California authorities and the Federal Government. Japan is apparently convinced that President Roosevelt and his advisers are thoroughly anxious to observe treaty obligations and maintain those cordial relations that have existed between the two Governments for many years.

Talk of war between Japan and the United States is denounced as nonsensical. The Japanese Government is working in perfect harmony with the United States in the effort to effect a settlement of pending issues that, according to officials here, will ignore any efforts to create the impression that the two countries were not on the best of terms.

When the California delegation called at the White House by invitation yesterday afternoon its members learned that negotiations were well under way between the United States and Japan to adjust the causes which have produced ill feeling against Japanese on the Pacific Coast. It has been understood for several weeks that the Japanese Government was willing to restrict coolie emigration from Japan to the United States and the President made it clear that he expected the cooperation of the California Congress delegation to prevent a continuance of the anti-Japanese agitation while the negotiations were pending. It was a frank, straightforward talk that Mr. Roosevelt gave the Californians, and there was plenty of evidence to-day that they are in accord with his policy of deprecating any further discrimination against Japanese in this country.

Secretary Root was present at the conference and he and the President made it clear that the success of the negotiations with Japan will depend in a great degree, if not entirely, upon the attitude of the San Francisco school authorities and the character of concessions they are willing to make.

To the end that a satisfactory treaty may be arranged the members of the delegation last night telegraphed the President of the Board of Education of San Francisco and the Superintendent of Schools asking them to come to Washington as soon as possible for a conference with the President. At the same time telegrams were sent to the Governor and the leaders in the Legislature urging that no drastic or denunciatory measures be passed concerning the Japanese question and assuring them that the President's plan, if not interfered with, would approach the results sought to be attained.

Although the delegation has received no response from the school officials, telegrams have come to them from prominent political leaders in the State, who have been advised of the treaty movement, heartily commending the course of the delegation.

It is admitted as a matter of course by the Californians that the school officials must necessarily make some material concessions, no doubt some which will be distasteful to them, but they will be urged to do this in view of the greater object which will thus be gained, which will be the exclusion of Japanese laborers who are now flocking to the coast at the rate of more than 1,000 a month.

The Japanese Minister has had many conferences with Secretary Root on the subject of a new treaty, and a result of these conferences has been communicated to the Japanese Government. Now the Minister has brought to Secretary Root and the President the assurance of a willingness on the part of his Government to enter into a new treaty providing certain concessions are made to Japanese residing in this country.

In order that there may be proper recognition of the equality of the two Powers, and that neither country is discriminating against the subjects of the other, it is proposed that Japan shall exclude from admission to that country laborers of a certain class from the United States, and in like manner a certain class of laborers from Japan will be debarred from admission to this country. Such an arrangement will in no way belittle Japan in the eyes of the world.

## SCHMITZ MAKING TROUBLE.

San Francisco School Board May Not Go to Washington.

SAN FRANCISCO, Jan. 31.—Members of the Board of Education have not yet decided whether to accept the invitation of President Roosevelt to go to Washington to discuss the Japanese school question. This indecision is due to the attitude of Mayor Schmitz, with whom they held a long conference this afternoon.

Both President Walsh and Sept. Roncovieri, who were seen last night, were willing to go to Washington, but to-day some new influence had been brought to bear and they refused to decide without consulting Schmitz. After a conference with the Mayor it was given out that the two would go if it was a question of information, and that all would go if it was a question of decision.

It looks as if Mayor Schmitz, in his effort to gain praise from the labor unions, has decided to antagonize President Roosevelt and the California delegation in their efforts to settle the Japanese school question.

SACRAMENTO